IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 9TH OCTOBER 2007 / 17TH ASWINA 1929

Bail Appl..No. 6123 of 2007()

CRIME NO.573/07 OF HILL PALACE POLICE STATION

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PETITIONERS/ACCUSED NOS.1 & 2

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1. SHAJAHAN, S/O.MOHAMMED HANEEFA,
   MAVILA HOUSE, PATHANAPURAM - 2.

2. RAHIM, S/O.MEERAN SAHIB, PLAVILA HOUSE,
   PATHANAPURAM.

BY ADV. SRI.S.RAJEEV

RESPONDENTS: STATE

STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM (CRIME NO.573 OF 2007
OF HILL PALACE POLICE STATION).

BY P.P. SRI.JAI GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. No. 6123 OF 2007

Dated this the 9th day of October, 2007

ORDER

Application for regular bail. The petitioners are accused 1 and 2. They now face allegations for offences punishable under Sec.489-A to D of the IPC. They were arrested after the mid-night of 23/8/07. Counterfeit currency notes of the denomination of Rs.500/- and Rs.100/- were seized from the possession of the petitioners. On interrogation of the petitioners, the Investigator was led to the 3rd accused from whose possession also a large quantity of counterfeit currency notes were seized along with printer, scanner etc., to facilitate such manufacture of forged counterfeit currency notes were seized. The petitioners continue in custody from 24/8/07. The crime was intitially registered at the Hill Palace Police Station. Investigation is now taken over by the CB CID SIG-II,

Ernakulam. Investigation is in progress. The learned counsel for the petitioners prays that the petitioner, who have remained in custody from 24/8/07, may now be enlarged on bail.

2. The learned Public Prosecutor opposes the application. The learned Public Prosecutor submits that investigation is not complete. The petitioners were found in possession of 11 counterfeit currency notes of Rs.500/- denomination and 9 counterfeit currency notes of Rs.100/- denomination (in all). Later, after tracing the 3rd accused, 162 counterfeit currency notes of Rs.500/- denomination and 48 counterfeit currency notes of Rs.100/- denomination were seized from the possession of the 3rd accused. Considering the nature of the crime and the magnitude of the operation, the petitioners may not be enlarged on bail at this stage. Investigatior, in a serious crime like this, may be given reasonable further time to complete the investigation, prays learned Public Prosecutor.

3. I find merit in the opposition by the learned Public Prosecutor. I am in full agreement with the learned Public Prosecutor that, in a serious crime like the instant one, the Investigator must be given reasonable further time to complete the investigation before the accused are released on bail.

3. In the result, this bail application is dismissed. I may

hasten to observe that the petitioners shall be at liberty to move this Court for bail again at a later stage of the investigation – not, at any rate, prior to 23/10/07. The Investigator shall, in the meantime, make every endeavour to complete the investigation expeditiously.

Sd/-
(R. BASANT, JUDGE)

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P.S. to Judge